

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-1630**

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JOHN G. SINGLETARY, JR.,

Plaintiff - Appellant,

and

CARLA C. SINGLETARY,

Appellant,

v.

WELLS FARGO WACHOVIA MORTGAGE CORPORATION, its employees to  
include agents individually and collectively to include  
David Bates,

Defendant - Appellee.

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Appeal from the United States District Court for the District of  
South Carolina, at Charleston. Bristow Marchant, Magistrate  
Judge. (2:11-cv-00484-MBS-BM)

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Submitted: August 22, 2011

Decided: September 9, 2011

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Before MOTZ, GREGORY, and DUNCAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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John G. Singletary, Jr., Appellant Pro Se. Hamlet Sam Mabry,  
III, HAYNSWORTH, SINKLER & BOYD, PA, Greenville, South Carolina;

Stafford J. McQuillin, III, HAYNSWORTH, SINKLER & BOYD, PA,  
Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John G. Singletary, Jr., seeks to appeal the district court's entry of a scheduling order in his civil suit against Wells Fargo Wachovia Mortgage Corporation. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Singletary seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, as no judge has requested a poll on Singletary's motion for en banc reconsideration of the denial of his motion for stay, we deny that motion and dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED